

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
BEFORE THE STATE BOUNDARY COMMISSION

In the matter of:

Boundary Commission
Docket #04-AP-1

**The proposed annexation of
territory in Milan Township
to the City of Milan,
Monroe County.**

SUMMARY OF PROCEEDINGS
FINDINGS OF FACT AND CONCLUSIONS OF LAW

SUMMARY OF PROCEEDINGS

1. On January 12, 2004, a petition designated as Docket #04-AP-1 was filed asking for the annexation of territory in Milan Township to the City of Milan, as described in Attachment A.
2. On January 15, 2004, the State Boundary Commission held an adjudicative meeting to determine the legal sufficiency of the petition. The petition was declared to be legally sufficient, pursuant to Public Act 191 of 1968, as amended, and Public Act 279 of 1909, as amended.
3. On January 15, 2004, a public hearing was scheduled for March 25, 2004, to receive testimony pursuant to Public Act 191 of 1968.
4. On March 24, 2004, upon notification from the township's attorney that the local units had been in the process of negotiating an Intergovernmental Development Agreement under Act 7 and Act 425, which includes all the property identified in the petition for annexation, the Boundary Commission cancelled the public hearing of March 25, 2004.
5. On June 17, 2004, at an adjudicative meeting, State Boundary Commissioners VerBurg, Walker, and Ishbia voted to approve a motion to recommend that the Director of the Department of Consumer & Industry Services deny the annexation and that Boundary Commission staff prepare draft Summary of Proceedings, Findings of Fact, and Conclusions of Law.

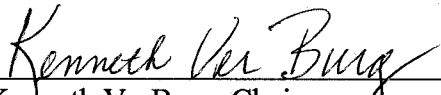
6. On June 17, 2004, at an adjudicative meeting, State Boundary Commissioners VerBurg, Walker and Ishbia voted to recommend approval of the draft Summary of Proceedings, Findings of Fact and Conclusions of Law, and to recommend that the Director of the Department of Labor & Economic Growth sign the attached Order denying the subject annexation and adopting the Summary of Proceedings, Findings of Fact and Conclusions of Law.

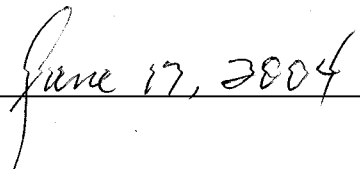
FINDINGS OF FACT

1. The territory proposed for annexation is subject to an Intergovernmental Conditional Transfer of Property by Contract between the City of Milan and Milan Township. The Agreement is pursuant to Public Act 425 of 1984 (MCL 124.21 et seq.), and was filed with the Secretary of State, Office of the Great Seal, on June 1, 2004 (see Attachment B).

CONCLUSIONS OF LAW

The record of this docket supports the Commission's recommendation that the Director of the Department of Labor & Economic Growth sign the attached Order denying the annexation of territory as petitioned in Docket 04-AP-1, and adopting the Summary of Proceedings, Findings of Fact, and Conclusions of Law.


Kenneth VerBurg, Chairman

Dated: 

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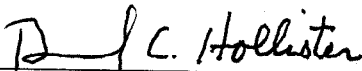
**The proposed annexation of
territory in Milan Township
to the City of Milan,
Monroe County.**

FINAL ORDER

IT IS ORDERED THAT the annexation of territory petitioned in State Boundary Commission Docket # 04-AP-1, as described in Attachment A, is denied pursuant to an Intergovernmental Conditional Transfer of Property by Contract, signed between the City of Milan and Milan Township, on territory proposed for annexation in Milan Township to the City of Milan. The Agreement is pursuant to Public Act 425 of 1984, as amended, and was filed with the Secretary of State, Office of the Great Seal, on June 1, 2004 (see Attachment B).

IT IS FURTHER ORDERED THAT the attached Summary of Proceedings, Findings of Fact and Conclusions of Law, and this Order, shall be effective on the date the Director of the Department of Labor & Economic Growth signs the Order.

IT IS FURTHER ORDERED THAT the State Boundary Commission shall transmit a certified copy of this Order and the attached Summary of Proceedings, Findings of Fact and Conclusions of Law to the clerks of the City of Milan, Milan Township, and Monroe County.



David C. Hollister, Director
Michigan Department of Labor & Economic Growth

7-8-04

Date

ATTACHMENT A

A part of the Northeast 1/4 of Section 11 and part of the Southeast 1/4 of Section 2, T5S, R6E, Milan Township, Monroe County, Michigan, described as beginning at the Northeast Corner of said Section 11; thence N01°58'17"E 736.35 feet along the East line of said Section 2 to the centerline of Allen Road; thence N56°58'00"W 518.64 feet along said centerline to the East line of Eagle Springs No. 2 as recorded in Liber 20 of Plats, Page 38, Monroe County Records, said line also being the West line of the East 25 acres of the Southeast 1/4 of Section 2, said line also being the east line of a 425 Agreement boundary; thence S00°09'53"W 1011.64 feet along said west line to the North line of said Section 11, said line also being the South line of Eagle Springs No. 2, said line also being the south line of a 425 Agreement boundary; thence N88°59'27"W 1239.22 feet along said south line to the Southwest corner of Eagle Springs No. 2; thence N00°02'59"W 1322.96 feet along the West line of Eagles Springs No. 2 and Eagle Springs as recorded in Liber 20 of Plats, Pages 29 and 30. Monroe County Records, said line also being the west line of a 425 Agreement boundary to a point on the North line of the South 1/2 of the Southeast 1/4 of said Section 2; thence N89°02'11"W 639.55 feet along said North line to the Easterly right of way line of Ann Arbor Railroad; thence along the Easterly right of way the following three (3) courses; S13°23'26"E 890.51 feet; thence S81°11'10"W 19.06 feet; thence S13°21'53"E 1721.51 feet; thence S89°37'48"E 388.23 feet to the West line of the Northeast 1/4 of the Northeast 1/4 of Section 11; thence S00°09'13"W 122.47 feet along said West line to the South line of the Northeast 1/4 of the Northeast 1/4 of Section 11; thence S89°03'56"E 1314.50 feet along said line to the East line of Section 11; said line also being the approximate centerline of Crowe Road; thence N00°11'53"E 1328.18 feet along said East line to the point of beginning, containing 78.34 acres of land more or less and subject to any easements or rights of way of record.